

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

a printed advertisement having at least one machine recognizable feature;

a feature recognition unit having associated therewith a means for recognizing said machine recognizable feature and a means for transmitting a coded signal in response to the recognition of said machine recognizable feature;

an intelligent controller having associated therewith a means for accessing said programming material in response to receiving said coded signal; and

a display unit for presenting said programming material.

183. A system as defined in claim 179 wherein said "information superhighway" data link comprises an integrated service digital network (ISDN) [network].

185. A system as defined in claim 179 wherein said "information superhighway" data link comprises a cable television (CATV) line.

REMARKS

The Examiner objected to claims 183 and 185 based on informalities. In addition, the Examiner provisionally rejected claims 168-261 under obviousness-type double patenting as being unpatentable over claims 168-221 and 224-263 of co-pending

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application Serial No. 09/769,149 (hereinafter referred to as "the '149 application").

Also, the Examiner rejected claims 168-182, 184, 186-196, 198-201, 203-204, 206, 208-237, 239-245, 247-252, 254, and 256-261 under 35 U.S.C. 103(a) as being unpatentable over Brick et al. U.S. Patent No. 6,269,342 (hereinafter referred to as "Brick") in view of Rhoads U.S. Patent No. 6,311,214 (hereinafter referred to as "Rhoads"). Similarly, the Examiner rejected claims 183, 185, 197, 202, 205, 207, 238, 246, and 255 under 35 U.S.C. 103(a) as being unpatentable over Brick as modified by Rhoads and further in view of Reber et al. U.S. Patent No. 5,995,105 (hereinafter referred to as "Reber").

Applicant has amended claim 168 to add "material" and "machine recognizable" which were inadvertently omitted from the originally submitted claim 168. Additionally, in response to Examiner's objections to claims 183 and 185, Applicant has amended the claims to eliminate the informalities. Applicant respectfully submits that the claims are now in proper form.

In response to the Examiner's provisional obviousness-type double patenting rejection, Applicant has amended the specification to properly cross reference related applications and to claim the benefit of the May 25, 1994 filing date of

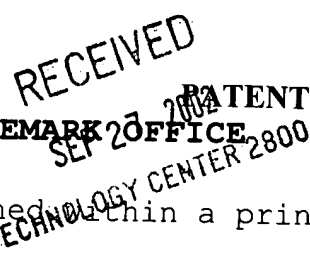
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application Serial No. 08/250,799 (hereinafter referred to as "the '799 application"). Consequently, this application and the co-pending '149 application both have an effective filing date of May 25, 1994. Since any patents issued from either application will automatically end on the same date, Applicant respectfully submits that a terminal disclaimer is not required.

Additionally, Applicant thanks the Examiner for granting a September 9, 2002 telephone interview with the Applicant. As agreed, Applicant has amended the specification to properly cross reference related applications and to claim the May 25, 1994 filing date of the '799 application. An effective filing date of May 25, 1994 predates the filing date of Brick, Rhoads, and Reber (relied upon by the Examiner for the 35 U.S.C. 103(a) rejections) as well as DeLuca et al. U.S. Patent No. 5,870,030; Parry U.S. Patent No. 6,148,331; and DeLuca et al. U.S. Patent No. 6,313,732 B1 (listed by the Examiner in the Notice of References Cited). Consequently, the aforementioned references are not proper references against this application.

Regarding the remaining references, the majority of the remaining references relate to dispensing coupons from some medium other than printed matter (i.e., television, cashier terminal, or weighing scale) -- not the present invention,



THE UNITED STATES PATENT AND TRADEMARK OFFICE

wherein a machine recognizable feature contained within a printed matter is utilized to access programming material. In fact, only one of the remaining references, May U.S. Patent No. 4,839,507 (hereinafter referred to as "May"), discloses utilization of printed matter. However, May discloses utilizing printed matter to dispense matter from a holding and dispensing means -- not to access programming material. Consequently, Applicant submits that the present invention is distinguished over all of the remaining references.

In light of the foregoing amendments and remarks, Applicant submits that claims 168-261 are in condition for allowance.

CONCLUSION

In view of the foregoing, Applicant respectfully submits that the present invention represents a patentable contribution to the art and the application is in condition for allowance. Early and favorable action is accordingly requested.

Date: September 20, 2002

Respectfully submitted,

John W. Olivo, Jr.
Reg. No. 35,634
WARD & OLIVO
382 Springfield Avenue
Summit, New Jersey 07901
(908) 277-3333